App. F. IX-4

Previous References

193 /.
(Legis)

File No. 68-31

Serial Nos. 1-5

Later References

PRESERVED

General and Revenue Secretariat.

Serial Nos. Icic.

A
Part ~~B~~ for February 33

SUBJECT.

Regulation No. VII of 1932.
(A Regulation to amend the Mysore Land Acquisition Regulation 1894.)

The Secy: to the Hon'ble the Resident.

No. Pol 745 dt 6-2-33.
Forwards Copies of the above.

Dr Chief Hgs
27-5-33

GENERAL AND REVENUE SECRETARIAT.

(C.S.)

NOTES.

C.S. File No. 46-31

FILE HEADING.

Acquisition of sites for buildings of Co-operative Societies

FROM

The Registrar of C.S.

No. 2704 CS Dated 10th Oct 1931 Received 13/10/31

Diary No. 1674	Enclos. 1	Spare copies —	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a Resolution of the 17th Provl. Co-operative Conference on the subject and states that where suitable unoccupied sites are not available for being granted to Co-operative Societies, sites may, at the instance of C.S. at their cost, be acquired by Govt. and granted to Societies for Constructing their Office buildings

NOTES AND ORDERS.

1 Submitted for orders. May the Rev Com be consulted in the matter
MJ 14/10

2 The Regr's proposal may be approved. So long as the purpose for which Regr Props are maintained is a public one there can be no objection to such Props being taken by Co-operative Societies are started for the benefit of the public and buildings to locate such Societies are constructed for the furtherance of this object.

DS 15/10/31

D. Secy)

NOTES—First Sheet.

WD 01683—GPB—5,000—3-5-29

Secretariat | File No. 46 of 1931

Serial No. 3

The proposal deserves consideration. The assn. on behalf of Co-op. Societies would be in the interests of the public generally.

MK 26/10

2nd memdm
1st memdm

4 Does it satisfy the actual requirements of the L A Regn Mcare examine

SJP 29/10 H. 31/10. E. 1/11/10

OFFICE OF THE SECOND MEMBER OF COUNCIL 27 OCT 1931 No. 2622

5 Acquisition of lands for the purposes of a 'Company', is permitted under this Regulation. But the definition of 'Company' in the Regulation does not seem to allow of the Co-op. Societies being included. Perhaps the Law Secty may be consulted

vide Secs 38-44 of the L.A. Regn. Flag S

vide Sec. 3(e) of the Regn Flag Q.

6 May the Regr be requested to report if there have been any precedents of the kind? A Co-operative Society is not a Company registered under the Companies Regulation and does not therefore fall under the definition of a company given in sec 3(e) of the L.A. Regn VII of 1894 as amended by XI of 1916 & I of 1927. ~~Whether the provision of sites It is not clear if Govt are by any rule in force~~ It is not clear Whether under

NOTE--Contn. Sheet

any rule in force, it is obligatory on Govt to provide suitable sites for buildings of Co-operative Societies. If there is any such obligation the lands may be acquired by Govt in the Co-operative dept & and then handed over to the Societies either free of cost or on payment of a value to be fixed by Govt. Subd for orders if the Reg of Co be consulted in the matter

KP
6.11.31

7 Co-operative Societies cannot be brought within the category of 'Companies'. Under Sec 4(1) of the Land Acq Regln of 1894 as Amended by Regln XI of 1916 & I of 1927 a notification to the effect shall be published in the official gazette whenever it appears to the Govt of Mysore that land in any locality is required for a public purpose. Again Under Sec(3) of the same Regln the expression Public Purpose includes the provision of Village sites. So far as Coop. Societies are concerned it all depends on whether we treat these bodies as working for public good or not. It is an admitted fact that these institutions are established

Serial No.

for the good of the public Vide Sec (3) of the Co-operative Societies Reg^n Manual. In these circs I submit that it will not be incorrect to say that the actual requirements of the L.A. Regulations are adhered.

13/11/31

D. Secy) 8 I agree with the views of the Asst. Secy. This may be sent to the L.R. Branch for remarks.

L.R with Comps (KP) 18/11

18/11

20/11/31

9 Co-operative Societies are established for the benefit of the public and the Construction of buildings for the use of the same may be treated as a public purpose within the meaning of Sec. 4(c) of the Land Acqn Regulation. There seems to exist no objection to acquire properties on behalf of the Societies and at their Cost.

18/24/11

10 It is not one of the Conditions that a portion at least of the cost of acquisition should be paid from public funds. Please put up the Case relating to the acquisition of lands in Mayiladuthurai for Rajesthi Schools. I believe it has been

NOTE – Contn. Sheet

Ltr. They have no right to acquire under the L.A. Act even for temples etc which are Hindu institutions. Please put up papers relating to the Scene.

2
25/11/31

11 Before extending the provisions of the L.A. Regulation to acquire lands on behalf of and exclusively at the expense of Co-operative Societies ~~we shall consider~~ the question whether such acquisitions has to be considered satisfy the requirements of the said Regulation. Section 6 lays down that only land needed for a public purpose or for a Company shall be declared for acqn. While the proviso to the said section permits the acqn of land under the Regulation for common objects at the joint cost of public revenues or the funds of local authorities and of private benefactors as well as when the whole cost is to be defrayed from public revenues or funds of the local authorities. It is admitted that Co-operative Societies cannot be brought under the Category of "Companies" (Sec 3.(e)) That these Societies are started with the object of promoting the economic interest etc. of the members is admitted on all hands. But it is doubtful whether Co-operative Societies can be placed on the same footing as the Village Panchayats or Municipalities and whether they can be considered as ~~public bodies~~ local authorities just as the V.P's or Municipalities are considered

The file relating to the acqn. of lands in Kallahalli Village Nanjangud Taluk is now before the Secy. She not. yet what same may be awaited. Subs forwarded.

18
17/12

for using the expressions extracts from it. or in lieu thereof file within 3 days.

2
20/12/31

Serial No.

as such. As regards Costs incident to an acquisition Sec 6 is ~~fairly~~ clear. There is however the condition that a portion at least of the Cost of acquisition should be paid from public funds. ~~The question of Cost is of Secondary importance in this Case.~~ (The Cases relating to acqn. of lands for opening of link roads in the Bargepalli and Nanjangud Taluks ~~Cases~~ entirely under a different category and it seems they have no bearing on the question under reference they are however linked herewith).

G.R. file 384-30
" " 596-29
detached
VS

12 The main thing Centres round the point whether acqn. of lands for construction of buildings for the use of Co-operative Societies may be treated as for a public purpose. The term "public purpose" is nowhere defined in the L.A. Regn. and the Govt perhaps are the Competent authority to determine whether a particular acqn. is in the interests of public good. The Law Section may perhaps be consulted.

VS
23/2

~~The main~~

13 It is only when a land is required for a public purpose or for a Company that it can be acquired under the Land Acquisition Act". It has been already held that a Co-operative Society does not come within the category of a Company So the other point that has to be considered is whether the acquisition of a land for a Co-operative Society is a public

NOTE—Contn. Sheet.

purpose. The proviso to Sec 6 of the Req" is to the effect that no land can be acquired unless the Compensation to be awarded for the property is paid either wholly or partly out of public revenues or some fund controlled or managed by a local authority. Hence the acquisition of land on behalf of the Co-operative Societies can not be considered to be for a public purpose in case the cost is not entirely from them ~~Govt Societies~~. The ~~Criterion~~ test in these cases is not whether the acquisition is for the public but whether it is for a public purpose: ~~but it~~ The proviso to Sec 6 defines what is a public purpose Hence it seems that at the last mentioned land can not be acquired under the Land Acquisition Act" on behalf of the Co-operative Societies.

Decided 24/12/31

The Co-operative Societies is not a local authority.

24/12/31

14 Law Secty for favour of opinion.

MK 24/12

24/12/31

167 Law

Serial No.

167
Law

15 The Proviso to Under [sec 6 cl(1) of the Land Acquisition Regulation 1894, no declaration can be made unless "the compensation to be awarded is to be paid by a company, or wholly or partly out of public revenues or some fund controlled or managed by a local authority". Any declaration made in contravention of this is invalid and the entire acquisition proceedings based on such a declaration would be illegal. (Vide 22 Mys CCR 277 and 25 mys CCR 228).

16. A Cooperative Society is not a Company as defined in sec 3 cl(e) of the Regulation nor is it a local authority (Vide sec 3 cl 20 of the General Clauses Regn). Consequently acquisition of lands for purposes of Cooperative Societies is not possible as the law stands at present. If it is the intention to legalise such acquisitions, the following words may be added to the definition of the expression "Company" in sec 3 cl(e) of the L.A. Regn, as has been done in British India by Act XVII of 1919:—

"and includes a Society registered under Societies Registration Regulation, 1904 and a registered Society within the meaning of the Cooperative Societies Regulation 1918."

Chief Secy)

Dy 9.12

NOTE – Contn. Sheet

SECRETARY. 29 DEC. 1931

WD 02553--50,000—GPB—8-7 30

17

Dy Secty 30/12/31

18 Pending an amendment of the L.A. Regn. the facility prayed for on behalf of Cooch. Sch. Cannot be made available. The Resr. may be informed accordingly. The question of amending the L.A. Regn. to meet such cases is for orders.

MMS 4/1/32

2nd Member) L 4/1/32

19. Action might be taken to amend the L. A. Regn.

LL 6.1.32

20 Early 1 GI L 6/1

21) Send with two drafts, draft Bill, amending the L.A. Regn and the other stating objects and reasons of the Bill. The file may be sent to the Rev: Br. for further action.

GS 12/1/32 12/1

KD

22) For approval — this Bill be transferred to the Rev. Br for further acti.

SS 15/1/32

Dev-Secy)

23) Yes. MMS 18/1 L 18/1

24) Rev Br with Compts JRD 18/1

2 19/1/32

JLPSIV

Serial No.

25) Submits draft bill and a statement of objects and reasons for amending the Act Rajya Sabha bill follows the opinion in para (15) supra This is a council matter. Vide rule (6) of Govt no P 362-70/Legis I-30 I dt 16.7-1930

Sd/ 29/12

26) The file may be transfer to the Law Secretariat for further action

Dep Sec'y 30/11/32

27) Law Secty for favour of further actn.

MS 30/11

To Law Secty with compliments Sd/ 1/12

2/12/32

28) Legis

MS 1/12

29 Kindly refer is limited to the rules for dealing with measures of proposed Legislature. As pointed out at para 25 supra the procedure prescribed therein has to be adopted in the Administration Branch. The file may be returned to deal the Sd/ MSL 2.2.32.

30 The proposed draft Bill & Statement of Objects & Reasons have been scrutinised by me. The matter will have

NOTE—Contn. Sheet

WD 02553—50,000—GPB—8-7 30

to be considered in Council & approval & H. H. obtained for the same.

Rev Branch) 6/2/32

Subd 2/8/32

Sctl 8/2

DEWAN'S OFFICE 5534 10. FEB. 1932

Subd

31) This may perhaps be sent to CB. for further action

Sctl 9/2/32 10/2/32

32) Orders of H. Member for Circulation to the Council have to be obtained & then the file reverts to the Chief Sec.

Dev Sec) 2/11/32

2nd Member) 11/2

OFFICE OF SECOND MEMBER 12 FEB. No. 663

33) The traffic rules VII & Rates & Fares are appd 2/12/32

make circulate to Council, for appn with the Dewan's approval.

Chief Secretary Comptr } Subd 13/2/32 13/2

Dewan) 15/2 2/13/2/32

34) 16-2-32 17/2

35) To Chief Secretary with Compts. 2/17/2/32

17/2 2/18/2/32 CR Circ RM 2

For Disposal by Circulation.

No. C. 245

1931-32

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject.

Bill further to amend the Land Acquisition Regulation in Mysore.

Circulated to the Members of Council.

By Order,

19th February 1932

Chief Secretary to Government.

First Member of Council.

Second Member of Council.

~~Third Member of Council.~~

For favour of Final Note.

OFFICE OF THE SECOND MEMBER OF COUNCIL
24 FEB. 1932
No. 1026

Second Member.)

F. N. signed by Member

13 13

[App. F. III—2

General and Revenue Secretariat | File No. of 193 .

Serial No.

Bill re: Amendments to Land Acquisition Regulations in Mysore — D.S.N. Subs

CHIEF SECRETARY
10 FEB. 1932

DEWAN'S OFFICE
5759
26 FEB. 1932

Dewan.

RG
26/2/32

NOTE—Contn. Sheet.

Final Note by the Second Member of Council.

Subject:—

36)

Bill further to amend the Land Acquisition Regulation in Mysore.

Under the provisions of the Land Acquisition Regulation of 1894 as amended by Regulations XI of 1916 and I of 1927, no land can be acquired unless it is needed for a public purpose or for a company ~~or~~ and unless the compensation to be awarded for such land is to be paid by a company or wholly or partly out of public revenues or some fund controlled or managed by a local authority. A Co-operative Society is not a company as defined in Section 3, clause (e) of the Land Acquisition Regulation nor is it a local authority within the definition in Section 3, clause (20) of the General Clauses Regulation. Consequently, the provisions of the Land Acquisition Regulation cannot be put into operation for the acquisition of lands for and on behalf of Co-operative Societies. In order to remedy this the amendment in the annexed bill is proposed Such an amendment has already been made in British India by Act XVII of 1919.

Pages 11 & 12 of Office Notes

The Dewan and the First Member have agreed to the draft amendment and I solicit His Highness' gracious sanction to place it before the Representative Assembly and in due course before the Legislative Council.

Bangalore,
24th February 1932.

MEMBER OF COUNCIL.

15

15

Submitted to His Highness.

I submit herewith a Final Note by the Second *Member of Council* regarding the Bill further to amend the Land Acquisition Regulation in Mysore,

.....

for His Highness' gracious approval.

37)

(M N Narasimha Rau
Dewan. in charge.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Bill further to amend the Land Acquisition Regulation in Mysore.

34.)

282

Order.

~~KRM~~

2/3/32

Mucj 3/3/32

RR 3/3/32

12

C 245

General and Revenue Secretariat

SECRETARIAT
No. 3272
REVENUE BRANCH.

SUBJECT

Bill further to amend the Land Acquisition Regulation in Mysore.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

By Order,

R. Rangadas

Chief Secretary to Government.

Through the Secretary to Government,

.....Department,

FIRST MEMBER OF COUNCIL. (Secn)

SECOND MEMBER OF COUNCIL. by 3/3/32

THIRD MEMBER OF COUNCIL.

NOTE.—Contn. sheet.

7268 3/3

39)

Dev: Secy. with Compliments

3/3/32 ms

2/4/3/32 3/3 4/3/3

Serial No.

40) This may now be transferred to the Law Secretariat for necessary further action. The amendment & the ~~general~~ statement containing the general principles of the Bill are flagged D.

OR Tod
3-

41) YP
8/3/32

Prohibition Bill

Legn

42) The Bill has been considered in Council & approved by Hon. The Bill has also been scrutinised and approved by the Member (vide para 33 supra).

The Statement of Objects and Reasons having also been approved by the member, it may be accepted as statement of General Principles of the Bill and sent to R.A. Office as required by the Govt of 16-7-30 Flag E.

Done 9/3/32 — R.A. + K.C. Coen)

MP 10/3/32

43) This may be returned to the Revenue Branch with a request that 3 typed copies of the Statement of General Principles of the Bill be forwarded early to this office for being placed before the Assembly as usual.

BUN: 10-3-32

44) Govt + R.B. with compliments for record.

45) R.A. Secn with 3 copies of Bill & Stat. of Objects & Reasons) —

WD 70—GBPM—60,000—13-8-31

OFFICE OF THE SECRETARY
10 MAR. 1932
LEGISLATIVE COUNCIL.

Mr. B.V.N.

TYPING
12

GENL. SECTT. OFFICE

NOTE—Contn. Sheet.

D R.A. Secn

Mr. BVN
15/3

Mr. BVN
15/3

Subject.

Usually, General principles of the Bill only is placed before the Rep. Assembly for an expression of their opinion & In the present case the Bill together with the Statement of objects & reasons is forwarded. It is therefore for orders whether the Bill together with the General principles ~~of the Bill~~ has to be placed before the R.A. or only a Statement of the General principles.

BVN. MM
18.3.32

(47) As is ordinarily done, it seems to the Legislature if merely the General principles are placed before The R.A.

Chief Secretary)

CHIEF SECRETARY'S OFFICE
22 MAR. 1932

CR/38/32

MM
23/3/32

(48) This may now be returned to the Revenue Branch for kindly sending 3 typed copies of the Statement of General Principles.

BVN.
28/3/32

Rev Br.

MM
28/3

(49) A statement of general principles is put up for approval.

MM
30/3

Rev Sec'y
31/3/32

Addl.

MM
31/3

(50) Mr McCrostie
Rt Section
with 3 Copies
SH

(51) 3 Copies taken & file returned. 2/4/32
BVN. 7.4.32. MM

OFFICE OF THE
4 APR. 1932

BVN

Pl. Stamp Section for
2 typing copies
1/4

Serial No.

Subd. The bill was not passed by the Legl. Council. The file may be sent to Legislative Section for further action.

Yg
8/6/32

Yg
8/6/32

The Bill has been published under Rule 8 of the L.C. Rules of business as sanctioned by the Govt. of India. Draft is accordingly subd. The following motions are suggested for being included in the agenda for the next meeting of the L.C.

(1) Motion that the Bill published under rule 8 of the L.C. Rules of business be read in Council

(2) Motion that the rules of business be suspended and that the Bill be taken into consideration at once without referring it to a Select Committee

(3) Motion that the Bill be passed at subsequent meeting of the Council

Mover the Second Member
Seconder Dept Secretary
Subd Chief Secretary

Yg
9/6/32

Note—Contn. Sheet.

Dne 9/6/32 Second Member

WD 70—GBPM—60,000—13-8-31

Yg 9/6/32

Yg 9/6/32

Dewan

Yg 9/6/32

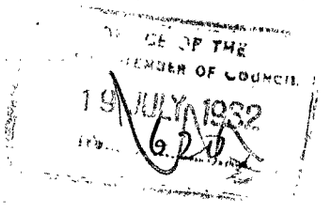
MU 9/6/32

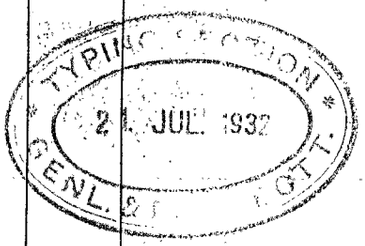
Yg 9/6/32

File No. of 193 . General and Revenue Secretariat

with a view
Legend (number)

Ce
15/6





57)
The motion to pass the Bill at a subsequent meeting of the Council was adopted.

The Bill being an amendment of a pre-remittion measure requires the sanction of Govt of India

Subd with drafts to Secy

Secy 21/7/32
20.7.32

58) Secy
21/7

No Dis 86 of 22.7.32 3

The Secy to the Resident

Requests that the sanction of the Govt of India may be obtained to the passing of the Bill into Law.

from the Secy to the Resident
No 6918/216-32 & 15-10-32
dated 18th the Governor General in Council is pleased to accord his consent to our Bill.

Krishna
25/7/32

General and Revenue Secretariat

File No. 68 of 193 .

Serial No.

(1) Subject to perusal the motion to pass the Bill into Law will be included in the Agenda for the next meeting of the L.C.

H.M. 20/10.

Second Reading 20/10/32

(2) [illegible] 20/10/32

[illegible] 24/10/32

(3) It is approved that the following motion may be included in the Agenda for the next meeting of the Legislative Council:—

"Motion that the Bill be passed" Moved: The First Member of Council Seconded:— The Development Secretary

Approved M.S.K. 7.11.32 — 8/11/32

(4) Second Reading I Member 11/11/32

Chief 14.11.32

(5) [illegible] 17/11/32

17.11

(6) Subject to approval of L.C. [illegible] (our note & return)

Noted and returned to Prot. Br. with compts. 17/11/32

16/11

L.C. Sec. ✓

Recommended that action may be taken & matter laid before a meeting of the L.C. at an early date

Taken

L.C. Sec.

OFFICE OF THE SECRETARY 17 NOV. 1932 REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

OFFICE OF THE CHIEF SECRETARY AND COLONIAL TREASURER 21 OCT. 1932 No. 320

FIRST BRANCH OFFICIAL 15 NOV. 1932 No. 4015

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

Bill is amend Tin Land Registration Reg

Legislative File No. 6 of 193 1. | General and Revenue Secretariat

(64) The motion that the Bill be passed was adopted on 14.12.1932

Executive Council of H.H. has to be obtained for proceeding the measure

Draft final note is sent

Draft 22/12/32

Hon Member
F.N. signed by Member 24/12

EXECUTIVE COUNCIL FILED 1932 5161

Ltr. 23/XII (65) D.S. Nawab

Dewan)

Ltr 23/12

Amount

DS. N. placed in file

Draft 24/12 C

MMC 24/12/32

DEWAN'S OFFICE 3839 1932

Final Note by the First Member of Council.

Subject:—

Bill further to amend the Mysore Land Acquisition Regulation, 1894.

Gracious sanction of His Highness was accorded in March 1932 to place before the Representative Assembly and thereafter in due course before the Legislative Council a Bill further to amend the Mysore Land Acquisition Regulation, 1894, so as to provide for the acquisition of lands for and on behalf of Co-operative Societies. A statement of general principles of the Bill was placed before the Representative Assembly in June 1932 for their consideration and was introduced in the Legislative Council at its last Budget Session after previous publication. The Legislative Council considered the Bill and resolved to pass the Bill at a subsequent meeting of the Council. Accordingly, the Bill came up for consideration on the 14th instant and was finally passed without any change.

The Governor-General in Council having accorded his consent to the Bill, gracious sanction of His Highness is solicited for promulgating the Bill as law.

MEMBER OF COUNCIL.

Bangalore,
23rd December 1932.

25

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council on the subject of* Bill further to amend the Mysore Land Acquisition Regulation, 1894 *for His Highness' gracious approval.*

W. N. Lewin Rao
Esq *Dewan.*

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation as law of the Bill further to amend the Mysore Land Acquisition Regulation, 1894.

331

Order.

~~KRW~~

31/12/32

1.1.33

Rg 3/1933.

327
16 1+

General and Revenue
Secretariat.

Promulgation as law of the Bill to amend the Mysore Land acquisition Regulation, 1894.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders.* (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

P. Rangachar

Chief Secretary to Government.

Through the Secretary to Government,

....Department.

5432
8/1

FIRST MEMBER OF COUNCIL. 3.1.33

4301
4/1

SECOND MEMBER OF COUNCIL. Spr 4/1

Genl Secy with Connts

RB
5/1(33).

Ltm 5/1. Le 5/1/33

NOTE.—Contn. sheet

Regulation to amend the Land Acquisition Reg^{n}, 1894.

General and Revenue Secretariat | File No. 686 of 1931. | [App. F. III—2

Serial No.	
	Draft G.O. covering the publication of the Reg^{n} further to amend the Land Acquisition Reg^{n}, 1894, as Reg^{n} VII of 1932 is sent Done 4/1/33
5	G.O. No. P3835 dt 10.1.33 has complied directs the publication of Reg^{n} to amend the above Land Acquisition Reg^{n} as Reg^{n} VII of 1932
Proofs	Printed copies of Reg^{n} came over and to Rev. vide Dot 745 dt 6.2.33. The file will be Recorded Done 24/2/33

TYPING SECTION 7 JAN 1933 SECRETARIAT

A

NOTE—Contn. Sheet.

No. 2704 C. S.

DEPARTMENT OF CO-OPERATION.
GOVERNMENT OF MYSORE.
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN MYSORE.

Telegraphic Address:
"CO-OPERT"
BANGALORE

Dated, Bangalore, 10th October 1930.

DEVELOPMENT SECRETARIAT 10 OCT. 1930

CS 46-31-1 D 1474

GEN. & DEV. SECRETARIAT 13 OCT.

FROM

K. H. RAMAYYA, ESQ., B.A., BAR-AT-LAW,
REGISTRAR OF CO-OPERATIVE SOCIETIES
IN MYSORE, BANGALORE.

To

B.T.Keshava Iyengar, Esq., B.A.,
Secretary to the Government of Mysore,
Development Department, Bangalore.

Sir,

I have the honour to forward, herewith, a copy of the resolution passed at the 17th Mysore Provincial Co-operative Conference held at Mysore during October 1930, in the matter of the acquistion of sites etc., for the construction of buildings of Co-operative Societies and to state that where suitable unoccupied sites are not available for being granted to Co-operative Societies, sites may, at the instance of Co-operative Societies and at their cost, be acquired by Government and given to the societies for the construction of their office buildings.

I have the honour to be,
Sir,
Your most obedient servant,

K H Ramayya
Registrar.

9/10.

Resolution.No.V.

"This Conference recommends that construction of buildings for the use of Co-operative Societies be treated as a public purp and the acquisition of sites for this purpose be permitted under Land Acquisition Regulations".

In moving the above resolution, Mr.B.Srinivasa Iyengar of Anekal said that whenever societies could pay for a site and wan a particular site, they might be acquired according to the Land Acquisition Act and this concession might be allowed to societies as inthe case of Railway Companies,Binny Mills,etc.

Mr.Krishna Rao supported it.

Mr.Shama Iyengar of T.Narasipur said that only big societ which could pay can take advantage of this. So he suggested sites being given to all societies free of cost.

The resolution was carried unanimously.

****

" Copy "

Registrar.

N.B.—**Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form**

BILL FURTHER TO AMEND THE LAND ACQUISITION REGULATION.

....

Whereas it is expedient further to amend the Mysore Land Acquisition Regulation, VII of 1894, (as amended by Regulation XI of 1916 and I of 1927); It is hereby enacted as follows :-

Amendment of Section 3 of the Regulation.

In Clause (e) of Section 3 of the said Regulation a comma shall be inserted after the words "Letters Patent" and the following words shall be added - viz.,

" and includes a Society registered under the Societies Registration Regulation 1904 and a "registered Society" within the meaning of the Mysore Co-operative Societies Regulation VII of 1918".

K.M.R.S.
12-3.

Bill further to amend the Land Acquisition Regulation

1930.

Whereas it is expedient further to amend the Land Acquisition Regulation VII of 1894, as amended by Regulation XI of 1916 and I of 1927; it is hereby enacted as follows -

In clause (e) of Sec. 3, a Comma shall be inserted after the words 'Letters Patent' and the following words shall be added - viz

" and includes a Society registered under the Societies Registration Regulation 1904 and a registered Society within the meaning of the Co-operative Societies Regulation VII of 1918 "

15/1/32

Under the provisions of the Land Acquisition Regulation of 1894 as amended by Regulation XI of 1916 and I of 1927, no land can be acquired unless it is needed for a public purpose or for a Company or unless the compensation to be awarded for such land is to be paid by a Company, or wholly or partly out of public revenues, or some fund controlled or managed by a local authority.

A co-operative society is not a 'Company' as defined in Sec. 3 cl (e) of the L. A. Regn. nor is it a local authority within the definition in Sec 3 cl (20) of the General clauses Regulation. Consequently the provisions of the Land Acqn Regn cannot be put into Operation for the acquisition of lands for and on behalf of Co-operative Societies. ~~It is not possible as the law stands at present.~~ The amendment proposed in the Annexed Bill is intended to remedy this defect.

6

Such an amendment has
been made in the Land Registration
in British India by Act XVII of 1919.

general principles.

STATEMENT OF ~~OBJECTS AND REASONS.~~

Under the provisions of the Land Acquisition Regulation of 1894, as amended by Regulation XI of 1916, and 1 of 1927, no land can be acquired unless it is needed for a public purpose or for a company or unless the compensation to be awarded for such land is to be paid by a company, or wholly or partly out of public revenues, or some fund controlled or managed by a local authority.

A Co-operative Society is not a "company" as defined in Section 3 Clause (e) of the Land Acquisition Regulation nor is it a local authority within the definition in Section 3 Clause (20) of the General Clauses Regulation. Consequently the provisions of the Land Acquisition Regulation cannot be put into operation for the acquisition of lands for and on behalf of Co-operative Societies. The amendment proposed in the annexed Bill is intended to remedy this. Such an amendment has been made in the Land Acquisition Act in British India by Act XVII of 1919.

Mode to remedy this

---

it is proposed to amend the Land Acqn. Regulation on the lines of the amendment already made in British India by Act XVII of 1919

K.M.R.3.
12-3.

2/31/3/20 MK 21/3

Appendix F G—1]

SUBJECT .....

.....

.....

Section Legs

File No. 68-31

Serial No. 1

Diary No. of letter replied to .....

No. Pol. 1282 C/2

To The Secretary to the Hon'ble
the President

Sir,

I am directed to forward herewith two copies of the Bill further to amend the Mysore Land Acquisition Regn, 1894, together with the Statement of Object & Reasons explaining the scope & type of the measure & to state that it is proposed to introduce the Bill at the meeting of the Legislative Council to be held on 20th June 1932

I have etc

General and Revenue Secretariat

( )

the *193*

Date of issue 11/6/32

Signed by Mr N. M.

List of enclosures .....

Copied by .....

Examined by .....

Chief Secy to Govt

Done 9/6

C.S. 11/6/32

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 4025
216-1932.

Legis 68-31-2

FROM

Captain G. Kirkbride, I.A.,
SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 20th June, *1932*.

Subject.

Bill further to amend the Mysore Land Acquisition Regulation, 1894.

SIR,

I am directed to acknowledge the receipt of two copies of the above Bill forwarded with your letter No.Pol.1282/P., dated the 9/11th June, 1932, and to state that the Hon'ble the Resident does not see any prima facie objection to the introduction of the Bill in the Mysore Legislative Council. The Bill will, however, require a reference to the Government of India before it is passed into Law. A further communication from you on the subject will therefore be awaited.

I have the honour to be,
Sir,
Your most obedient servant,

Captain,
SECRETARY TO THE RESIDENT.

CO

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. Pol 86 *Dated, Bangalore,* 22nd July 193:

Leg 68-31-3

From

N. Madhava Rao, Esq., B.A., B.L.,

Chief *Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

I am directed to invite reference to your letter No.4045/216-1932, dated 20th June 1932 regarding the Bill further to amend the Mysore Land Acquisition Regulation, 1894, and to state that at the meeting of the Legislative Council held in June 1932, the Bill was read in Council and ~~after suspension of the rules of business, considered without reference to a Select Committee and decided to be~~ passed without any change ~~at a subsequent meeting of the Council.~~

I am to request that the consent of the Government of India may kindly be obtained to the passing of the Bill into Law.

I have the honour to be,

Sir,

Your most obedient servant,

Chief Secretary to Government.

Aga

SUBJECT .....

.....

.....

Section Legis 688-31

File No.

Serial No. 3

Diary No. of letter replied to .....

No. Pol. 86

To The Secy to the hon'ble the Resident

General and Revenue Secretariat

( )

the 193

Sir, I am directed to write ~~With~~ refer to your letter No 4045/216-1932 dt 2-6-32 re the Bill further to amend the Mysore Land Acquisition Regn, 1894, ~~was introduced~~ and to state that at the meeting of the Legis Council held in June 1932, the Bill was read in Council and after ~~suspension~~ suspension of the rules of business, considered without reference to a Select Committee, and decided to be passed without any change at a subsequent meeting of the

Date of issue 25/7/32

Signed by Asst. Secy

List of enclosures .....

Copied by .....

Examined by .....

12

the Council.

I am to request that the Consent of the Govt of India may shortly be obtained to the passing of the Bill into Law.

I have &c

for Chief Secy

Bowe
20/7

to the Resident in Mysore, Bangalore, by designation and not by name.

NO. 216-1932.

Pol. 5

Legis 68-31-4

FROM

Captain G. Kirkbride, I.A.,
SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated, Bangalore, the 15 October 1932.

Subject.

A bill further to amend the Mysore Land Acquisition Regulation, 1894.

SIR,

I am directed to refer to the correspondence ending with your letter No.Pol.86/Legis.68-31-3, dated the 22nd/25th July, 1932, and to inform you that the Governor-General in Council is pleased to accord his consent to the Bill referred to above on the understanding that he retains over it the power and authority which vest in him by virtue of Article 18 of the Treaty dated the 26th November, 1913.

I have the honour to be,
Sir,
Your most obedient servant,

Captain,
SECRETARY TO THE RESIDENT.

MVS

G. R. S. VI.—S-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Legis
File No. 66-31
Serial No. 5

Diary No. of letter replied to.....

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. P. 3835/Ecn 1

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....191 .

Ordered that the accompanying Regulation to further to amend the Mysore Land Acquisition Regn, 1894, which received the assent of His Highness the Maharaja, on the thirty first day of December 1932, be published as Regulation No. XII of 1932, in the *Mysore Gazette* for general information.

Date of issue....10/1/33

Signed by Sm H V Ramaswamy
" C S Iyer

Secretary to Government.

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part III of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....spare copies in Kannada to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

Dmc

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:-
XXXXXX

Order No. P 38354/Legis 68-31-5-(Ecn I)

Dated, Bangalore, the 9th January 1933.

Ordered that the accompanying Regulation further to ~~amend~~ amend the Mysore Land Acquisition Regulation, 1894, which received the assent of His Highness the Maharaja, on the thirty first day of December 1932, be published as Regulation No VII of 1932, in the Mysore Gazette for general information.

for General Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in part ~~III~~ IV of the Gazette, in English and Kannada and for supply of spare copies in English, and spare copies in Kannada to this office and spare copies in English and spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

MK.4

16

NOTIFICATION.

No. P. 3835—*Legis.* 68-31-5, *dated Bangalore, the* 9*th*—10*th January* 1933.

Ordered that the accompanying Regulation further to amend the Mysore Land Acquisition Regulation 1894, which received the assent of His Highness the Maharaja, on the thirty-first day of December 1932, be published as Regulation No. VII of 1932, in the *Mysore Gazette* for general information.

H. V. RAMASVAMI,
General Secretary to Government.

REGULATION No. VII OF 1932.

(Received the assent of His Highness the Maharaja on the Thirty-first day of December 1932.)

A Regulation further to amend the Mysore Land Acquisition Regulation, 1894.

Whereas it is expedient further to amend the Mysore Land Acquisition Regulation, VII of 1894; It is hereby enacted as follows:— Amendment of Section 3 of the Regulation.

In clause (e) of section 3 of the said Regulation a comma shall be inserted after the words "Letters Patent" and the following words shall be added, *viz.*,

> "and includes a society registered under the Societies Registration Regulation, III of 1904 and a "registered society" within the meaning of the Mysore Co-operative Societies Regulation, VII of 1918."

M. N. KRISHNA RAO,
Dewan.

Price 0-0-3